



PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

05

Application Number

10/676,910

Filing Date

30 September 2003

First Named Inventor

Lester F. Ludwig

Art Unit

2837

Examiner Name

Marlon T. Fletcher

Attorney Docket Number

2738-021

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):

1. Credit Card Payment Form;
2. Comment on Statement of Reasons for Allowance;
3. Return Postcard;

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

The Maxham Firm

Signature

Printed name

Jeffrey J. Lotspeich, Esq.

Date

November 17, 2004

Reg. No.

45,737

**CERTIFICATE OF TRANSMISSION/MAILING**

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Signature

Typed or printed name

Jeffrey J. Lotspeich, Esq.

Date

November 17, 2004

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"PATENT"

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
LESTER F. LUDWIG )  
)  
SERIAL NO.: 10/676,910 )  
)  
FILED: September 30, 2003 )  
)  
FOR: EXTENSIONS AND GENERALIZATIONS )  
OF THE PEDAL STEEL GUITAR )

Group No: 2837

Examiner: Marlon T. Fletcher

**COMMENT ON STATEMENT OF REASONS FOR ALLOWANCE**

**Mail Stop: Issue Fee**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant has the following brief comments concerning the Examiner's Statement of  
Reasons for Allowance.

### **Remarks**

First of all, there are both method and apparatus claims in this application. To the extent that the Examiner's Statement might be construed as implying that the claimed method could only be practiced using the apparatus components with the characteristics as set forth in the Statement, Applicant would respectfully disagree. Each claim stands on its own; attributes of apparatus claims should not be imputed to method claims, and vice versa.

Applicant next asserts that the Examiner's Statement presents the claimed invention in terms which are neither reproduced, *verbatim*, from the claims, nor consistent with the language cited in the claims. Applicant respectfully submits that the claims are patentable for, and should be construed in accordance with, their respective recitation. To the extent that the language employed in the Examiner's Statement is not a direct quotation from the claims, Applicant submits that the Statement should not be construed in any limiting sense with respect to the scope of the terms used in the claims themselves.

Applicant acknowledges the other references made of record and not relied upon. A number of these references are Applicant's own patent applications and issued patents. However, there is nothing of sufficient relevance to require detailed discussion.

Applicant also recognizes that the effect of the Examiner's Amendment to claims 1 and 44, which was presented in the Notice of Allowability dated August 27, 2004, no longer applies in view of the Supplemental Examiner's Amendment presented in the Supplemental Notice of Allowability dated November 12, 2004, which again amends claim 1 and 44 so that these claims recite the originally filed claim language.

Applicant further recognizes that the Examiner's initial refusal to enter Applicant's IDS has been withdrawn, and the various references cited in the IDS have indeed been considered by the Examiner, as indicated in the Corrected Notice of Allowance dated November 4, 2004.

Lastly, Applicant and the undersigned thank the Examiner for his time in discussing the issues surrounding the various Examiner's amendments and the acknowledgement of the references cited in the IDS.

Respectfully submitted,

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